

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and for indicating that claims 17-21 are allowable and claim 13 contains allowable subject matter.

Disposition of Claims

Claims 1-11, 12, and 14-21 are pending. Claim 13 is canceled by this reply without prejudice or disclaimer. Claims 1, 9, and 17 are independent. The remaining claims depend, directly or indirectly, from independent claims 1, 9, and 17.

Claim Amendments

Independent claims 1 and 9 are amended to include the subject matter of claim 13. Claim 18 is amended to correct a typographical error. No new matter is added by way of this amendment. Support for this amendment is found, for example, in paragraphs [0032], [0035], [0041], [0053], [0071], and [0072] of the patent application publication and the originally-filed claims.

Rejections under 35 U.S.C. § 103

MPEP § 2143 states that “[t]he key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious.” Further, the Supreme Court in *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1739, 75 U.S.L.W. 4289 (2007) noted that the analysis supporting a rejection under 35 U.S.C. § 103 should be made explicit. See MPEP § 2143. The analysis presented by the Examiner to support the rejection of the claims under 35 U.S.C. § 103 in the Action indicates that the Examiner found no differences

between the cited prior art and the claims besides a lack of the actual combination of the elements in a single prior art reference, *i.e.*, that the Examiner is relying solely on the teachings of the prior art. *See, e.g.*, MPEP § 2143(A). Applicants respectfully assert that all of the elements of the amended claims are not found in the cited prior art.

Claims 1, 2, 6, 9, and 16 are rejected under 35 U.S.C. § 103 as being unpatentable over WO 02/47365 A2 (“Andreaux”) in view of U.S. Patent Application Publication No. 2002/0048369 (“Ginter”) and further in view of US Pat. No. 6,832,731 (“Kaneko”). Claims 3, 5, 7, and 12 are rejected under 35 U.S.C. § 103 as being unpatentable in view of Andreaux, Ginter, Kaneko, and U.S. Patent Application No. 2002/0048367 (“Maillard”). Claims 4 and 8 are rejected under 35 U.S.C. § 103 as being unpatentable in view of Andreaux, Ginter, Kaneko, and EP 1263230 (“Cutino”). Claim 11 is rejected under 35 U.S.C. § 103 as being unpatentable in view of Andreaux, Ginter, Kaneko, Cutino, and Maillard. To the extent that these rejections may still apply to the amended claims, these rejections are respectfully traversed.

As described above, independent claims 1 and 9 are amended to include the allowable subject matter of claim 13. *See* Action mailed November 17, 2009, page 2. Accordingly, claims 1 and 9 are now allowable over the cited prior art, as none of the cited prior art discloses or renders obvious each and every limitation required by previously presented dependent claim 13.

In view of the above, the Examiner’s contentions fail to support an obviousness rejection of amended independent claims 1 and 9. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/081001).

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Respectfully submitted,

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